

Appl. No.: 09/982,481
Amdt. dated October 3, 2003
Reply to Office action of August 27, 2003

REMARKS/ARGUMENTS

In the Office Action dated August 27, 2003, the Examiner: (1) objected to the Specification; (2) rejected to claims 10, 20 and 30 under 35 U.S.C. § 112, second paragraph; and (3) rejected to claims 1-30 as being anticipated by Tabei (U.S. Pat. No. 5,929,863). In this Response, Applicants amend claims 1, 3-5, 11, 13-15, 21, and 23-25 and submit new claims 31-32. Based on the arguments and amendments contained herein, Applicants believe all pending claims to be in condition for allowance.

The Examiner noted that the phrase "of each" was inadvertently repeated on page 4. Applicants have removed the extra instance of the phrase to correct this issue.

The Examiner rejected claims 10, 20, and 30 under § 112, second paragraph, for the use of the term "pixel bar chart." The Examiner contends that term is not defined clearly in the specification. Applicants disagree. The term is used repeatedly throughout the specification. See e.g., page 4, line 8; page 9, line 13; page 13, lines 6-7; and page 16, line 17. Further, the subject matter disclosed in the specification is directed to various techniques for generating a pixel bar chart. Applicants do not understand what the Examiner finds unclear about the term "pixel bar chart." Clarification is requested.

The Examiner rejected all claims as being anticipated by Tabei. Tabei discloses a record extraction technique and, of relevance to the claims and arguments below, discloses a distribution graph in Figure 4. As can be seen, Figure 4 provides a plot of sales as a function of gross margin. The plot of Figure 4 includes various sales records shown as several dozen "dots" in the plot. Much blank space exists between dots on the plot of Figure 4.

Claim 1 comprises, among other features, a "graphically displayable array comprising a plurality of adjacent data points" and "arranging said plurality of records to construct said graphically displayable array so that each of said adjacent data points is assigned a record." Tabei does not teach or suggest a plurality of adjacent data points in which each data point is assigned a record. Instead, in Tabei less than all of the possible data points in Figure 4 have

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assigned sales records. Thus, Tabei does not anticipate nor render obvious the invention of claim 1 and dependent claims 2-10. Also, references to steps "a)," "b)," and "c)," have been removed from claims and 3-5 to ensure that the claims are not limited to the order in which the limitations are listed.

Claim 11 is directed to a computer system that implements a method that comprises, among other features, a "graphically displayable array comprising a plurality of adjacent data points" and "arranging said plurality of records to construct said graphically displayable array so that each of said adjacent data points is assigned a record." As explained above, Tabei does not teach or suggest a plurality of adjacent data points in which each data point is assigned a record. Thus, Tabei does not anticipate nor render obvious the invention of claim 11 and dependent claims 12-20. Also, references to steps "a)," "b)," and "c)," have been removed from claims and 13-15 to ensure that the claims are not limited to the order in which the limitations are listed.

Claim 21 is directed to a computer-readable medium having code that causes a computer system to perform a method comprising, among other features, a "graphically displayable array comprising a plurality of adjacent data points" and "arranging said plurality of records to construct said graphically displayable array so that each of said adjacent data points is assigned a record." As explained above, Tabei does not teach or suggest a plurality of adjacent data points in which each data point is assigned a record. Thus, Tabei does not anticipate nor render obvious the invention of claim 21 and dependent claims 22-30. Also, references to steps "a)," "b)," and "c)," have been removed from claims and 23-25 to ensure that the claims are not limited to the order in which the limitations are listed.

Newly submitted claim 31 is directed to a computer-readable medium having code embodied therein that is adapted to cause a computer to perform a method. The method comprises "determining a width of each of the columns, the width of some columns being different than the width of other columns; assigning records to every pixel in said columns; and applying a variable color to all of the pixels in all of the columns according to an attribute of said records." Tabei does

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not teach or suggest this combination of limitations. For instance, Tabel does not teach assigning records to every pixel in the columns of a pixel bar chart. Claim 31 is allowable.

Claim 32 depends from allowable claim 31 and is thus allowable at least for the same reason as claim 31. In addition, claim 32 specifies that the method comprises forming a plurality of pixel bar charts in which records are assigned to commonly located pixels in each chart and color is applied to the pixels of the charts using different attributes among the various charts. Tabel does not teach or suggest these limitations.

Applicants respectfully request reconsideration and allowance of the pending claims. Accordingly, Applicants respectfully request that a timely Notice of Allowance be issued in this case.


In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the prior art which have yet to be raised, but which may be raised in the future.

If any fees or time extensions are inadvertently omitted or if any fees have been overpaid, please appropriately charge or credit those fees to Hewlett-Packard Company Deposit Account Number 08-2025 and enter any time extension(s) necessary to prevent this case from being abandoned.

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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